

KLESTADT & WINTERS, LLP  
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Attorneys for Retirement Housing Foundation  
and its affiliates, Foundation Property Management,  
Bixby Knolls Towers, Inc., Gold County Health Center, Inc.,  
Mayflower Gardens Health Facilities, Inc., Mayflower RHF Housing, Inc.,  
Sun City RHF Housing, Holly Hill RHF Housing, Inc.,  
Merritt Island RHF Housing, Inc., Martin Luther Foundation, Inc.,  
Yellowwood Acres, Inc., Bluegrass RHF Housing, Inc.,  
St. Catherine RHF Housing, Inc. and DeSmet RHF Housing, Inc.

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re: Chapter 11  
  
LEHMAN BROTHERS HOLDINGS, INC., *et al.*, Case No. 08-13555 (JMP)  
  
Debtors. Jointly Administered  
-----X

**NOTICE OF WITHDRAWAL OF NOTICE OF INTENT  
TO PARTICIPATE IN DISCOVERY RELATED TO PLAN CONFIRMATION**

**PLEASE TAKE NOTICE** that Retirement Housing Foundation and its affiliates, Foundation Property Management, Bixby Knolls Towers, Inc., Gold County Health Center, Inc., Mayflower Gardens Health Facilities, Inc., Mayflower RHF Housing, Inc., Sun City RHF Housing, Holly Hill RHF Housing, Inc., Merritt Island RHF Housing, Inc., Martin Luther Foundation, Inc., Yellowwood Acres, Inc., Bluegrass RHF Housing, Inc., St. Catherine RHF Housing, Inc. and DeSmet RHF Housing, Inc. (collectively as "RHF") are hereby withdrawing without prejudice their Notice of Intent to Participate in Discovery Related to Plan Confirmation ("Notice of Intent") which was served on April 28, 2011 in accordance with the Order Establishing Procedures in Connection with Discovery Related to Plan Confirmation and Other Issues, entered by the Court on April 14, 2011 [Docket No. 16003] (the "Order"). A copy of the Notice of Intent is attached hereto as Exhibit A. RHF has not accessed any Confidential Information (as defined in the Order), but reserves their rights to seek all appropriate discovery that is permitted pursuant to the Order, the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and any other applicable provision of law.

Dated: July 1, 2011

KLESTADT & WINTERS, LLP

By: /s/ John E. Jureller, Jr.

Tracy L. Klestadt

John E. Jureller, Jr.

570 Seventh Avenue, 17<sup>th</sup> Floor

New York, NY 10018

(212) 972-3000

# EXHIBIT A

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

In re

Chapter 11

LEHMAN BROTHERS HOLDINGS INC. *et al.*,

Case No. 08-13555 (JMP)

(Jointly Consolidated)

Debtors.

-----X

**NOTICE OF INTENT TO PARTICIPATE IN  
DISCOVERY RELATED TO PLAN CONFIRMATION**

**NOTICE IS HEREBY GIVEN** that Retirement Housing Foundation and its affiliates, Foundation Property Management, Bixby Knolls Towers, Inc., Gold County Health Center, Inc., Mayflower Gardens Health Facilities, Inc., Mayflower RHF Housing, Inc., Sun City RHF Housing, Holly Hill RHF Housing, Inc., Merritt Island RHF Housing, Inc., Martin Luther Foundation, Inc., Yellowwood Acres, Inc., Bluegrass RHF Housing, Inc., St. Catherine RHF Housing, Inc. and DeSmet RHF Housing, Inc. (collectively as "RHF"), by their attorneys, Klestadt & Winters, LLP, have filed claim numbers 10493 and 10496 against Lehman Brothers Holdings Inc. ("LBHI") in the amounts of \$5,233,852 and \$11,871,612, respectively, and claim numbers 10494 and 10495 against Lehman Brothers Special Financing Inc. ("LBSF") in the amounts of \$5,233,852 and \$11,871,612, respectively, and/or is a party in interest in the confirmation of a plan in the above captioned chapter 11 cases (the "Chapter 11 Cases").

**ACCORDINGLY, PLEASE TAKE FUTHER NOTICE** that, subject to any objections by the Debtors or Statutory Committee of Unsecured Creditors appointed in the Chapter 11 Cases and/or any limitations imposed by the Court, the above named party in interest and its counsel intends to participate as follows in the Plan Discovery, as defined in the Order Establishing Procedures in Connection with Discovery Related to Plan Confirmation and Other Issues entered by the Court on April 14, 2011 [Docket No. 16003]

Dated: April 28, 2011

/s/ John E. Jureller, Jr.

John E. Jureller, Jr.

**Contact Information for Party in Interest:**

Retirement Housing Foundation  
c/o Robert Amberg, President  
911 N. Studbaker Road  
Long Beach, CA 90815-4900  
Telephone: 562-257-5111  
Email: [Robert.Amberg@rhf.org](mailto:Robert.Amberg@rhf.org)

**Contact Information for Attorneys for Party In Interest:**

Tracy L. Klestadt  
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**Contact Information for Advisors for Party in Interest:**

Not Applicable

**Designation of Contact(s) to Receive Any Notice Required Under the Order:**

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**Group that Participant elects to join (pursuant to Paragraph 3(b) of the Order):** Pursuant to Paragraph 3(b) of the Order, RHF elects to join Group 3(b)(v) as the creditors of LBSF.